

5:08cv37

Defendant.

ORDER

IT IS, THEREFORE, ORDERED that plaintiff's Motion for A Stay (#7) is **ALLOWED**, and consideration of the Commissioner's Motion to Dismiss is **STAYED** pending decision of the Appeals Council on plaintiff's request to reopen and enlarge the time for filing this action, *nunc pro tunc*.

Signed: August 12, 2008

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

